

REMARKS/ARGUMENTS

Claims 1-9 are pending herein. Claims 1-6 and 9 have been amended in response to the §101 rejection (discussed below).

1. The rejection of claims 1-9 under §101 is noted, but deemed moot in view of the rewritten claims submitted above.

2. Claims 1-5 were rejected under §102(e) over Freeland on page 5 of the Office Action. Claims 6-9 were rejected under §103(a) over Freeland in view of Merrick et al. on page 9 of the Office Action. These rejections are respectfully traversed.

The effective date as a prior art reference for Freeland is the U.S. filing date of March 7, 2001. When the present application was originally filed in the U.S. PTO, Applicants claimed priority from and submitted certified copies of JP 2000-180275 and JP 2000-241157, which were filed in Japan on June 15, 2000 and August 9, 2000, respectively.* As such, Freeland is not prior art with respect to the present application.

In view of the foregoing, verified translations of JP '275 and JP '157 are submitted herewith in order to perfect Applicants' §119 claim for priority. Applicants respectfully submit that pending claims 1-9 are fully supported by the disclosure in the above-identified Japanese priority documents.

In view of all of the foregoing, reconsideration and withdrawal of the §102 and §103 rejections are respectfully requested.

Applicants appreciate the PTO's confirmation of receipt and consideration of the IDS filed January 27, 2004. The PTO is requested to also confirm receipt and consideration of the IDS filed on December 10, 2002.

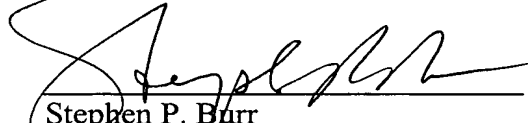
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

* While the Patent Application Information (PAIR) System indicates that Applicants' foreign priority papers were received on May 29, 2001 (i.e., the filing date for the present application), the Office Action Summary does not acknowledge Applicants' §119 claim for priority. Acknowledgment of Applicants' §119 priority claim and confirmation of the receipt of the certified copies of Japanese Applications 2000-180275 and 2000-241157 are respectfully requested.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

December 15, 2004
Date


Stephen P. Burr
Reg. No. 32,970

SPB:SWC:jms

Enclosures:

Verified English Translation of JP 2000-180275 and JP 2000-241157

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320